

Carlos J. Cuevas, Esq.  
Attorney for Defendant  
Sean M. Dunn  
1250 Central Park Avenue  
Yonkers, New York 10704  
Tel. No. 914.964.7060  
Carlos J. Cuevas

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

In re

Chapter 7

SEAN M. DUNN,

Case No. 18-36566(CGM)

Debtor.

-----X

LAK3, LLC,

Plaintiff,

-against-

Adv. Pro. No. 18-9038(CGM)

SEAN M. DUNN,

Defendant.

-----X

**APPELLEE'S COUNTER-DESIGNATION OF THE RECORD  
ON APPEAL AND COUNTER-STATEMENT OF THE  
ISSUE PRESENTED ON APPEAL**

Sean Dunn by his attorney, Carlos J. Cuevas, Esq., for his Appellee's Counter-  
Designation of the Record on Appeal and Counter-Statement of the Issue Presented on Appeal  
respectfully represents:

**COUNTER-STATEMENT OF THE ISSUE PRESENTED ON APPEAL**

1. Did the Bankruptcy Court abuse its discretion in dismissing the above-captioned adversary proceeding because the Plaintiff without just cause failed to appear at a status conference?

**COUNTER-DESIGNATION OF THE RECORD**

*In re Dunn*, Case No. 18-36566(CGM)

1. Dkt. No. 1, Bankruptcy Petition, Schedules and Statement of Financial Affairs

*LAK3, LLC v. Dunn*, Adv. Pro. 18-9038(CGM)

1. Transcript of hearing conducted on September 17, 2019.
2. Transcript of hearing conducted on November 19, 2019.

Dated: Yonkers, New York  
January 15, 2020

CARLOS J. CUEVAS, ESQ.  
Attorney for Defendant

By: /s/ Carlos J. Cuevas  
Carlos J. Cuevas  
1250 Central Park Avenue  
Yonkers, New York 10704  
Tel. No. 914.964.7060

Carlos J. Cuevas, Esq.  
Attorney for Defendant  
1250 Central Park Avenue  
Yonkers, New York 10704  
Tel. No. 914.964.7060  
Carlos J. Cuevas

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

In re

Chapter 7

SEAN M. DUNN,

Case No. 18-36566(CGM)

Debtor.

-----X

LAK3, LLC,

Plaintiff,

-against-

Adv. Pro. No. 18-09038(CGM)

SEAN M. DUNN,

Defendant.

-----X

**CERTIFICATE OF SERVICE**

I, Carlos J. Cuevas, do hereby certify that on January 15, 2020, I served by first class mail Appellee's Counter-Designation of the Record on Appeal and Counter-Statement of the Issue Presented on Appeal on the following:

Sanford P. Rosen, Esq.  
Rosen & Associates, P.C.  
747 Third Avenue  
New York, New York 10017

Fred Stevens, Esq.  
Klestadt Winters Jureller  
Southyard & Stevens LLP  
200 West 41<sup>st</sup> Street  
17<sup>th</sup> Floor  
New York, New York 10036

Office of the United States Trustee  
11A Clinton Avenue  
Room 620  
Albany, NY 12207

Dated: Yonkers, New York  
January 15, 2020

/s/ Carlos J. Cuevas  
Carlos J. Cuevas